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L.B.F. 3015.1

## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF PENNSYLVANIA

In re:	Chapter	13	
John Edward McKnight	Case No.	2 <u>2-13410 amc</u>	
Debtor(s)	apter 13 Pl	lan	
Original  X FIRST MODIFIED  Date: 9/6/2023			

### THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13 OF THE BANKRUPTCY CODE

#### YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. **ANYONE WHO WISHES TO OPPOSE ANY PROVISION OF THIS PLAN MUST FILE A WRITTEN OBJECTION** in accordance with Bankruptcy Rule 3015 and Local Rule 3015-4. **This Plan may be confirmed and become binding, unless a written objection is filed.** 

IN ORDER TO RECEIVE A DISTRIBUTION UNDER THE PLAN, YOU MUST FILE A PROOF OF CLAIM BY THE DEADLINE STATED IN THE NOTICE OF MEETING OF CREDITORS.

Part 1: Bankruptcy Rule 3015.1(c) Disclosures
Plan contains non-standard or additional provisions – see Part 9
Plan limits the amount of secured claim(s) based on value of collateral – see Part 4
Plan avoids a security interest or lien – see Part 4 and/or Part 9
Part 2: Plan Payment, Length and Distribution – PARTS 2(c) & 2(e) MUST BE COMPLETED IN EVERY CASE
§ 2(a) Plan payments (For Initial and Amended Plans):
Total Length of Plan: 60 months.
Total Base Amount to be paid to the Chapter 13 Trustee ("Trustee") \$ _117,291.70
Debtor shall pay the Trustee \$ per month for months and then
Debtor shall pay the Trustee \$ per month for the remainingmonths;
or
Debtor shall have already paid the Trustee \$6,672.70 through month number _9and
then shall pay the Trustee \$2,169.00 per month for the remaining 51 months.
Other changes in the scheduled plan payment are set forth in § 2(d)

	Debtor shall make plan payments to the Trustee fronture wages (Describe source, amount and date wages)	
	• ,	,
	Alternative treatment of secured claims:  None. If "None" is checked, the rest of § 2(c) need not be co  Sale of real property  See § 7(c) below for detailed description  Loan modification with respect to mortgage encur  See § 4(f) below for detailed description  Other information that may be important relating to	mbering property:
	Estimated Distribution:	
	Total Priority Claims (Part 3)	
	1. Unpaid attorney's fees	\$ <u>5,987.50</u>
	2. Unpaid attorney's costs	\$_0.00
	3. Other priority claims (e.g., priority taxes)	<u>\$</u> 0.00
В.	Total distribution to cure defaults (§ 4(b))	\$ <u>79,860.14</u>
C.	Total distribution on secured claims (§§ 4(c) &(d))	\$ <u>7,211.09</u>
D.	Total distribution on general unsecured claims(Part 5)	)\$ <u>12,463.07</u>
	Subtotal	<u>\$105,521.80</u>
E.	Estimated Trustee's Commission	\$ 11,724.64
F.	Base Amount	\$ <u>117,291.70</u>
Counsel's compensate compensate amount sta	Allowance of Compensation Pursuant to L.B.R. 20 y checking this box, Debtor's counsel certifies that Disclosure of Compensation [Form B2030] is accurtion pursuant to L.B.R. 2016-3(a)(2), and requests the tion in the total amount of \$, with the lated in §2(e)A.1. of the Plan. Confirmation of the placompensation.	t the information contained in rate, qualifies counsel to receive his Court approve counsel's a Trustee distributing to counsel the

## $\S$ 3(a) Except as provided in $\S$ 3(b) below, all allowed priority claims will be paid in full unless the creditor agrees otherwise.

Creditor	Claim Number	Type of Priority	Amount to be Paid by Trustee
Gellert Scali Busenkell & Brown, LLC	5	Debtor's Counsel	\$4,737.50
Gellert Scali Busenkell & Brown, LLC		Fees 507(a)(2)	\$1,250.00

§ 3(b) Domestic Support obligations ass full amount.	igned or owed to	a governmental unit and paid less t	han
None. If "None" is checked, the rest of § 3(	b) need not be comp	leted.	
The allowed priority claims listed below are assigned to or is owed to a governmental unit and a provision requires that payments in § 2(a) be for a t	vill be paid less than	the full amount of the claim. <i>This plan</i>	
Name of Creditor	Claim Number	Amount to be Paid by Trustee	

#### Part 4: Secured Claims

Creditor			Secur	red Property
	listed below will receive no di es' rights will be governed by nonbankruptcy law.			
	listed below will receive no di es' rights will be governed by nonbankruptcy law.			
None. If "None" i	ault and maintaining p s checked, the rest of § 4( ibute an amount sufficient o creditor monthly obligati	(b) need not be com	ns for prep	
Creditor	Claim Number	Description of Se Property and Add real property		Amount to be Paid by Trustee
New Rez	4	40 N. Bonsall Glenolden, PA		\$79,860.14

§ 4(c) Allowed secured claims to be paid in full: based on proof of claim or pre-
confirmation determination of the amount, extent or validity of the claim

None. If "None" is checked, the rest of § 4(c) need not be completed.

- (1) Allowed secured claims listed below shall be paid in full and their liens retained until completion of payments under the plan.
- (2) If necessary, a motion, objection and/or adversary proceeding, as appropriate, will be filed to determine the amount, extent or validity of the allowed secured claim and the court will make its determination prior to the confirmation hearing.
- (3) Any amounts determined to be allowed unsecured claims will be treated either: (A) as a general unsecured claim under Part 5 of the Plan or (B) as a priority claim under Part 3, as determined by the court.
- (4) In addition to payment of the allowed secured claim, "present value" interest pursuant to 11 U.S.C. § 1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below. If the claimant included a different interest rate or amount for "present value" interest in its proof of claim or otherwise disputes the amount provided for "present value" interest, the claimant must file an objection to confirmation.
- (5) Upon completion of the Plan, payments made under this section satisfy the allowed secured claim and release the corresponding lien.

Name of Creditor	Claim Number	Description of Secured Property	Allowed Secured Claim	Present Value Interest Rate	Dollar Amount of Present Value Interest	Amount to be Paid by Trustee
Santander	3	2015 Chrysler	6,368.68	5%	842.41	\$7,211.09

# § 4(d) Allowed secured claims to be paid in full that are excluded from 11 U.S.C. § 506 None. If "None" is checked, the rest of § 4(d) need not be completed.

The claims below were either (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

- (1) The allowed secured claims listed below shall be paid in full and their liens retained until completion of payments under the plan.
- (2) In addition to payment of the allowed secured claim, "present value" interest pursuant to 11 U.S.C. § 1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below. If the claimant included a different interest rate or amount for "present value" interest in its proof of claim, the court will determine the present value interest rate and amount at the confirmation hearing.

Name of Creditor	Claim Number	Description of Secured Property	Allowed Secured Claim	Present Value Interest Rate	Dollar Amount of Present Value Interest	Amount to be Paid by Trustee

rminates upon co	e automatic stay und Infirmation of the Pla	der 11 U.S.C. § 362( an.	perty listed below that secual) and 1301(a) with respect creditors listed below on t	ct to the secured property
reditor		Claim Number	Secured Property	
None. If	shall pursue a loan	modification directly	ed not be completed. witho ng the loan current and res	r its successor in interest or solve the secured arrearage
Mortgage Lend	er in the amount of te protection paym	\$ per month		protection payments directly (describe n payments directly to the
(3) If the m				
lan to otherwise om the automati	provide for the allow c stay with regard to	wed claim of the Mor o the collateral and D	(date), Debtor shall eith tgage Lender; or (B) Mortg ebtor will not oppose it.	ner (A) file an amended gage Lender may seekrelief
Plan to otherwise rom the automati art 5: General § 5(a) Sepa	provide for the allow c stay with regard to Unsecured Clain rately classified	wed claim of the Mor o the collateral and E ms allowed unsecure	tgage Lender; or (B) Mortg	ner (A) file an amended gage Lender may seekrelief
Plan to otherwise from the automating art 5: General § 5(a) Sepa	provide for the allow c stay with regard to Unsecured Clain rately classified	wed claim of the Mor o the collateral and E ms allowed unsecure	tgage Lender; or (B) Mortg Debtor will not oppose it. ed non-priority claims ed not be completed.	ner (A) file an amended gage Lender may seekrelief  Amount to be Paid by Trustee
lan to otherwise om the automati  art 5: General  § 5(a) Sepa  None. If	provide for the allow c stay with regard to Unsecured Clain rately classified "None" is checked,	wed claim of the More of the collateral and E  ms  allowed unsecure, the rest of § 5(a) ne  Basis for Separate	tgage Lender; or (B) Mortg Debtor will not oppose it.  ed non-priority claims ed not be completed.	gage Lender may seekrelief  Amount to be

Part 6: Executory Contra	icts & Unexpire	d Leases	
None. If "None" is ch	ecked, the rest of	§ 6 need not be comp	oleted.
Creditor	Claim Number	Nature of Contract or Lease	Treatment by Debtor Pursuant to §365(b)
Part 7: Other Provisions			
§ 7(a) General princip (1) Vesting of Proper  Upon con Upon disc	ty of the Estate <i>(c.</i> firmation charge	heck one box)	(4), the amount of a creditor's claim listed inits
proof of claim controls over ar	ny contrary amoun	ts listed in Parts 3, 4 o	or 5 of the Plan.
	bursed to the cred		nd adequate protection payments under § rectly. All other disbursements tocreditors
the plaintiff, before the comple	etion of plan payme ecial Plan paymer	ents, any such recove nt to the extent neces	nal injury or other litigation in which Debtor is bry in excess of any applicable exemption will sary to pay priority and general unsecured by the court.
§ 7(b) Affirmative dut principal residence	ies on holders	of claims secured	by a security interest in debtor's
(1) Apply the paymer arrearage.	nts received from t	he Trustee on the pre	e-petition arrearage, if any, only to such
(2) Apply the post-pe obligations as provided for by			e by the Debtor to the post-petition mortgage ote.
purpose of precluding the imp	osition of late payr ault(s). Late charge	ment charges or other	upon confirmation for the Plan for the sole r default-related fees and services based on on post-petition payments as provided by the
	ebtor provides for	payments of that clair	's property sent regular statements to the m directly to the creditor in the Plan, the holder
(5) If a secured credi books for payments prior to the book(s) to the Debtor after this	e filing of the petiti	ion, upon request, the	's property provided the Debtor with coupon creditor shall forward post-petition coupon
(6) Debtor waives any set forth above.	violation of stay o	claim arising from the	sending of statements and coupon books as

§ 7(c) Sale of Real Property  None. If "None" is checked, the rest of § 7(c) need not be completed.
(1) Closing for the sale of(the "Real Property") shall be completed within months of the commencement of this bankruptcy case (the "Sale Deadline"). Unless otherwise agreed by the parties or provided by the Court, each allowed claim secured by the Real Property will be paid in full under §4(b)(1) of the Plan at the closing ("Closing Date").
(2) The Real Property will be marketed for sale in the following manner and on the following terms:
(3) Confirmation of this Plan shall constitute an order authorizing the Debtor to pay at settlement all customary closing expenses and all liens and encumbrances, including all § 4(b) claims, as may be necessary to convey good and marketable title to the purchaser. However, nothing in this Plan shall preclude the Debtor from seeking court approval of the sale pursuant to 11 U.S.C. §363, either prior to or after confirmation of the Plan, if, in the Debtor's judgment, such approval is necessary or in order to convey insurable title or is otherwise reasonably necessary under the circumstances to implement this Plan.
(4) At the Closing, it is estimated that the amount of no less than \$shall be made payable to the Trustee.
(5) Debtor shall provide the Trustee with a copy of the closing settlement sheet within 24 hours of the Closing Date.
(6) In the event that a sale of the Real Property has not been consummated by the expiration of the Sale Deadline:
Part 8: Order of Distribution
Part 8: Order of Distribution  The order of distribution of Plan payments will be as follows:
The order of distribution of Plan payments will be as follows:  Level 1: Trustee Commissions* Level 2: Domestic Support Obligations
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Part 9: Non Standard or Additional Plan Provisions	
Under Bankruptcy Rule 3015.1(e), Plan provisions set forth below in Part 9 are effective only if the applicable box in Part 1 of this Plan is checked. Nonstandard or additional plan provisions placed elsewhere in the Plan are void.	
None. If "None" is checked, the rest of Part 9 need not be completed.	
Part 10: Signatures	
By signing below, attorney for Debtor(s) or unrepresented Debtor(s) certifies that this Plan contains no nonstandard or additional provisions other than those in Part 9 of the Plan, and that the Debtor(s) are aware of, and consent to the terms of this Plan.	
Date: 9/6/2023	/s/ Michael A. Cataldo
	Attorney for Debtor(s)
If Debtor(s) are unrepresented, they must sign below.	
Date:	
	Debtor
Date:	Joint Debtor